

Notice of Allowability	Application No.	Applicant(s)	
	09/516,969	MURAMATSU, MIZUKI	
	Examiner	Art Unit	
	(Iraj) Alan Rahimi	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 25, 2005.
2. ☒ The allowed claim(s) is/are 1,4,42 and 47.
3. ☒ The drawings filed on 29 February 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.


THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


 EDWARD COLES
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Diana on July 27, 2005.

The application has been amended as follows:

Claim 1. An image processing apparatus comprising:

input means inputting image data which complies with a hierarchical data format that hierarchically stores image data of a plurality of resolutions;

determination means determining if the image data is a specific image, wherein said determination means determines the specific image when the image data has a copyright; and

output means for, when said determination means determines that the image data is the specific image, selecting and outputting image data in a lowest resolution layer,

wherein said output means enlarges the image data in the lowest resolution layer to a predetermined size, and outputs the enlarged data.

Claim 5: Canceled.

Claim 42: An image processing method comprising:

Art Unit: 2622

an input step, of inputting image data which complies with a hierarchical data format that hierarchically stores image data of a plurality of resolutions;

an determination step, of determining if the image data is a specific image, wherein said determination means determines the specific image when the image data has a copyright;

and

an output step, in which, when it is determined in said determination step that the image data is the specific image, image data in a lowest resolution layer is selected and outputted,

wherein said output step includes enlarging the image data in the lowest resolution layer to a predetermined size, and outputting the enlarged data.

Claim 47: A computer readable storage medium that stores a program of an image process, said program having at least:

code for an input step, of inputting image data which complies with a hierarchical data format that hierarchically stores image data of a plurality of resolutions;

code for a determination step, of determining if the image data is a specific image, wherein said determination means determines the specific image when the image data has a copyright;

and

Art Unit: 2622

code for an output step, in which, when it is determined in said determination step that the image data is the specific image, image data in a lowest resolution layer is selected and outputted,

wherein said output step includes enlarging the image data in the lowest resolution layer to a predetermined size and outputting the enlarged data.

Art Unit: 2622

Response to Amendment

2. In papers filed on February 25, 2005 applicant amended claims 1, 42 and 47.

Response to Arguments

3. Applicant's arguments, filed March 16, 2005, with respect to claims 1, 4, 5 and 47 have been fully considered. The examiner amendment was entered to incorporate limitations of claim 5 into independent claims 1, 42 and 47 in order to put the case in condition for allowance. Claim 5 was cancelled accordingly. Claim 47 was also amended to overcome the 101 issue with computer program.

Allowable Subject Matter

4. Claims 1, 4, 42 and 47 are allowed.
5. The following is an examiner's statement of reasons for allowance: The prior art and the prior art of record, specifically Bobrow does not teach or suggest determining when the image has copyright to select the lowest resolution of the image and enlarged it to a predetermined size and output the enlarged image.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2622

Other Prior Art Cited

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sakasi (US Patent Application Publication 2001/004877) discloses enlarging the low resolution image.


Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Iraj) Alan Rahimi whose telephone number is 571-272-7411. The examiner can normally be reached on Mon.-Fri. 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.


Alan Rahimi
July 29, 2005


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